

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC D/B/A
BRAZOS LICENSING AND DEVELOPMENT,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE
COMPANY,

Defendant.

Case Numbers:

6:20-cv-00725-ADA¹

6:20-cv-00726-ADA

6:20-cv-00728-ADA

6:20-cv-00730-ADA

6:20-cv-00783-ADA

¹ To avoid duplication, the Movants filed their motion in the lowest-numbered case of this group. Defendant accordingly files its response in this same case.

RESPONSE IN SUPPORT OF MOTION FOR LIMITED-PURPOSE CONSOLIDATION

On January 21, 2022, Non-Party Subpoena Recipients BP Funding Trust; BasePoint Administrative, LLC; Terrier SSC, LLC; and Aqua Licensing, LLC (“Movants”) filed a Motion for Limited-Purpose Consolidation and Protective Order. Dkt. 87. Since that filing, BP Funding Trust and Terrier SSC, LLC have agreed to produce to HPE copies of any document production they provide to Google and the transcript of any deposition taken by Google if the limited purpose consolidation is granted. Accordingly, HPE does not oppose the requested limited purpose consolidation. HPE has made a handful of edits to the Proposed Order, attached, to reflect this position and to facilitate the agreed-upon production. The attached Proposed Order is additionally supplemented with a redlined version that displays these edits, attached as Exhibit 1.

HPE believes that the issues raised by Google’s Motions to Compel against several of the Movants should be addressed expediently, as HPE’s own fact discovery cutoff is just a few weeks behind Google’s. For this reason, HPE does not intend to complicate or slow down the proceedings by submitting any additional briefings on them. However, HPE supports the relief sought by Google in these Motions to Compel.

Date: January 28, 2022

Respectfully submitted,

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**COUNSEL FOR DEFENDANT
HEWLETT PACKARD ENTERPRISE
COMPANY**

CERTIFICATE OF SERVICE

The undersigned certifies that on January 28, 2022, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a).

/s/ Barry K. Shelton
Barry K. Shelton